

being unpatentable over the Admitted Prior Art in view of the Jordan patent and the Martorelli patent. The claims were also rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

As an overview to the present reply, Applicant has extensively amended the language of original Claims 1 - 4 in the form of new Claims 5 - 8, respectively. New Claims 5 - 8 express the original limitations in a more proper U.S. format, including proper antecedent bases and proper structural interrelationships throughout. Any indefinite terminology found in the original claim language has been corrected herein.

Additionally, independent Claim 5 reflects the first embodiment of the present invention. Independent Claim 7 reflects the second embodiment of the present invention. Independent Claim 5 includes the limitations that the second holder has an “inverted U-shaped member” extending from a second end of the support post. The holding rod of the first holder is now indicated as extending generally horizontally on “one side” of the support rod. The second holder specifies that the holding arm extends “in parallel relation” to the support post. The support post is particularly defined as extending “vertically upwardly” from the base. Dependent Claim 5 indicates that the inverted U-shaped member frictionally engages “a tubular core” of the second paper towel roll. Independent Claim 7 includes the limitations of the hole formed in the support post, the fastening arm as having “a locating portion extending therefrom” and that the locating portion extends “interiorly of said support post and resiliently contacting opposite sides of said inner wall.” Dependent Claim 8 indicates that the holding arm has “an inverted U-shaped member” and that this inverted U-shaped member “frictionally engages a tubular core of the second paper towel roll”. Applicant respectfully contends that these features are neither shown nor suggested by the prior art combination.

Fundamentally, the present invention provides a device whereby one paper towel roll is freely dispensable by the user and is maintained in a horizontal orientation. The second paper towel roll is frictionally engaged upon the second holder so as to be oriented generally vertically. This frictional engagement generally will resist use of this second paper roll. As a result, an unsightly appearance caused by the partially dispensed second paper towel roll is avoided. The second paper towel roll is held in a proper position by the resilient relationship between the inverted U-shaped portion and the side of the support post. When it is desired to replace the first paper towel roll, the second paper towel roll can be pulled from the second holder and placed in a desired position on the first holder.

Relative to the anticipation rejection of the Young patent, it is particularly noted that new independent Claim 5, reflecting the limitations of original independent Claim 1, describes the “inverted U-shaped portion”. As such, the Young patent no longer anticipates the limitations of independent Claim 5. Additionally, and furthermore, it can be seen that the first holder in the Young patent extends outwardly of a top end of the support post. In contrast, the first holder of the present invention extends “on one side of the support post”.

Relative to the prior art combination, it is clearly seen that the Admitted Prior Art lacks the second holder. The Examiner has cited the Jordan patent and the Martorelli patent as showing structures which “make obvious” the teachings of the present invention in view of the Admitted Prior Art. Applicant respectfully contends that the claims herein, as amended, properly distinguish the present invention from this prior art combination.

orientation. Each of the paper towel rolls is generally freely rotatably supported by the transverse rods.

The Martorelli patent describes a dispenser for a wallpaper holding device. This employs an arm which extends outwardly of the side of a gripping tool. The wallpaper appears to be freely rotatably mounted in a generally vertical orientation on the holding arm.

Fundamentally, the prior art combination would lack the “inverted U-shaped portion” as defined by independent Claim 5. Additionally, the prior art combination would lack the “hole” in the support post of independent Claim 7. The prior art combination would lack the “locating portion” which extends into the hole of the post and resiliently contacts the inner wall of the post.

As such, the prior art combination could not show the structure of the present invention whereby the second holder is easily removable from the support post and frictionally engages the second paper towel roll. On this basis, Applicant respectfully contends that independent Claim 5 and 7 are patentably distinguishable from the prior art combination.

It should be noted that in the teachings of the prior art, the second paper towel roll is freely rotatable in its orientation on a side of the support post. This is in contrast to the present invention whereby the standby paper towel roll is supported in a secure position so as to avoid the unsightly partially unrolled paper towel. In the present invention, the paper towel roll is securely maintained in a fixed position as engaged between the support post and the second holder. As such, it becomes difficult to unroll the towel because of this orientation. In the prior art combination, it appears that the second paper towel is desired to be freely unrolled from its location on the second holder. As such, the potential unsightly appearance of a partially unrolled paper towel roll would occur by the

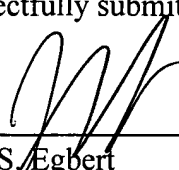
prior art combination. As such, Applicant respectfully contends that the advantages and results of the present invention are neither shown nor suggested by the prior art combination.

On this basis, Applicant contends that independent Claims 5 and 7 are now in a proper condition for allowance. Additionally, those claims which are dependent upon these independent claim should also be in condition for allowance. Reconsideration of the rejections and allowance of the claims at an early date is earnestly solicited. Since no new claims have been added above those originally paid for, no additional fee is required.

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